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## Fifth Committee

**Summary record of the 58th meeting**
Held at Headquarters, New York, on Wednesday, 27 June 2007, at 3 p.m.

*Chairman:* Mr. Yousfi ..... (Algeria)
*Chairman of the Advisory Committee on Administrative and Budgetary Questions*: Mr. Saha

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*The meeting was called to order at 3.45 p.m.*

**Agenda item 115: Financial reports and audited financial statements, and reports of the Board of Auditors** (*continued*) (A/C.5/61/L.48)

*Draft resolution A/C.5/61/L.48: Financial reports and audited financial statements, and reports of the Board of Auditors*

1. *Draft resolution A/C.5/61/L.48 was adopted.*

**Agenda item 117: Programme budget for the biennium 2006-2007** (*continued*) (A/C.5/61/L.54)

*Draft resolution A/C.5/61/L.54: Special subjects relating to the programme budget for the biennium 2006-2007*

2. **Mr. Kozaki** (Japan), explaining his delegation's position on section II of draft resolution A/C.5/61/L.54, said that it provided the basis for the establishment of a mechanism to address the cash flow problems facing the International Research and Training Institute for the Advancement of Women, on the understanding that the amounts disbursed to the Institute would be fully reimbursed. If, as he hoped, the draft resolution was fully implemented, it would be the last such draft resolution on the financial situation of the Institute. He reiterated his opposition to using regular budget resources to finance the Institute's activities.

3. **Mr. Diab** (Syrian Arab Republic), explaining his delegation's position on section III of draft resolution A/C.5/61/L.54, drew attention to General Assembly resolution 61/252, section VII, paragraph 7, and recalled that, in the light of concerns expressed by Member States, the Secretary-General had been requested to review the logical frameworks for all special political missions in order to ensure that their programmatic aspects and resource requirements were consistent with mandates of the General Assembly and the Security Council. During the Fifth Committee's subsequent consideration of the report containing that review (A/61/890), his delegation had reiterated its concern that the Secretariat, when reviewing the logical framework for the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), had disregarded a pivotal issue, namely Israel's ongoing occupation of parts of southern Lebanon and its continued breaches of Lebanese airspace. Such actions, which constituted a threat to Lebanon's sovereignty, independence and territorial integrity and a violation by Israel of resolution 1559 (2004), had been documented by, inter alia, the United Nations Interim Force in Lebanon (UNIFIL) and in the context of correspondence between the Lebanese Government and the United Nations.

4. In response to those concerns, the Secretariat had confirmed that it would refer to Israel's violations of Lebanese sovereignty in the context of the next logical framework for the Special Envoy. He looked forward to receiving that document. In the meantime, however, since the current logical framework did not reflect his delegation's position, he wished to dissociate himself from the consensus. Furthermore, the Secretariat should ensure that the letter dated 3 May 2007 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/61/894) was taken up by the General Assembly at its sixty-second session during its consideration of estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council.

5. **Mr. Ramadan** (Lebanon), explaining his delegation's position, said that he had taken note of the Secretary-General's determination that minor adjustments to the logical frameworks for the Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004), the United Nations Peacebuilding Support Office in the Central African Republic and the United Nations Peacebuilding Support Office in Guinea-Bissau were required (A/61/890, para. 4). He had also noted that, on the basis of a request from one delegation, the relevant report had been revised and reissued under the symbol A/61/890*. While he had serious reservations about the manner in which that issue had been handled, he was glad that it had led to a consensus.

6. It was his understanding that violations of Lebanese sovereignty also fell within the scope of Security Council resolution 1559 (2004); indeed, such violations were usually described in the reports submitted to the Council by the Special Envoy of the Secretary-General, Mr. Roed-Larsen. It was also his understanding that those violations would continue to be described in Mr. Roed-Larsen's future reports.

7. **Mr. Fluss** (Israel), explaining his delegation's position, recalled that, in its resolution 1559 (2004),

the Security Council had reiterated its strong support for the territorial integrity, sovereignty and political independence of Lebanon. Had that resolution been implemented, the previous summer's conflict would not have occurred. But Hizbullah, a terrorist organization, had grown as a "State within a State" in southern Lebanon. The conflict between Hizbullah and Israel, during which Hizbullah had attacked Israel, kidnapped two of its soldiers and killed others, had occurred as a result of the failure to implement resolution 1559 (2004). The Lebanese Government and army had looked on while Hizbullah violated the Blue Line, attacked Israel and undermined Lebanon's interests.

8. It was deeply troubling that major components of resolution 1559 (2004) — namely, the establishment of normal diplomatic relations between Syria and Lebanon, the demarcation of a border between those two countries and the dismantling and disarming of all Lebanese and non-Lebanese militias operating in Lebanon — remained unimplemented. Indeed, the Secretary-General's Special Envoy, Mr. Roed-Larsen, had recently raised those concerns with the Security Council.

9. In addition to its failure to fully implement resolution 1559 (2004), Syria, in its letter to the Secretary-General (A/61/894), had attempted to reinterpret the logical framework for the Special Envoy, concluding that the expansion of his mandate amounted to a duplication of work. The implementation of resolution 1559 (2004) involved Syria and Lebanon, not Israel. Syria was attempting to divert the Organization's attention from its own failure to respond to the will of the international community.

10. As stipulated in the Secretary-General's report on the budget for UNIFIL for the period from 1 July 2007 to 30 June 2008 (A/61/870), the expected accomplishments for UNIFIL were the establishment of a stable and secure environment in southern Lebanon and the normalization of the authority of the Government of Lebanon in southern Lebanon. Those two accomplishments were designed to ensure that Lebanon retained its sovereignty and remained free from foreign influence, issues that pertained to Syria and Lebanon, not Israel. Syria had attempted to amend the relevant indicators of achievement and to add indicators connecting resolution 1559 (2004) with the Blue Line, clearly distorting the resolution. Syria was micromanaging the work of the Fifth Committee in order to avert condemnation for having failed to comply with its obligations under the relevant Security Council resolutions.

11. In 2000, Israel had completely removed itself from Lebanon, thereby fulfilling its obligations under Security Council resolution 425 (1978). That fact had been confirmed by the international community. The issue at hand did not pertain to Israel or the Blue Line; it related to Syrian interference in Lebanon. The Fifth Committee must do its part by ensuring that the logical frameworks were clear and by supporting the Special Envoy's efforts, and it should avoid reinterpreting Security Council resolutions.

12. *Draft resolution A/C.5/61/L.54 was adopted.*

13. **The Chairman**, referring to paragraph 78 of the annex to the rules of procedure of the General Assembly, said that delegations wishing to make statements in exercise of the right of reply would be given the floor at the end of the meeting.

**Agenda item 129: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994** (*continued*) (A/C.5/61/L.50)

**Agenda item 130: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991** (*continued*) (A/C.5/61/L.50)

*Draft resolution A/C.5/61/L.50: Comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia*

14. *Draft resolution A/C.5/61/L.50 was adopted.*

**Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations** (*continued*) (A/C.5/61/L.70)

**Agenda item 117: Programme budget for the biennium 2006-2007** (*continued*) (A/C.5/61/L.70)

**Agenda item 127: Report on the activities of the Office of Internal Oversight Services** (*continued*) (A/C.5/61/L.70)

**Agenda item 132: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations** (*continued*) (A/C.5/61/L.70)

*Draft resolution A/C.5/61/L.70: Terms of reference for the Independent Audit Advisory Committee and strengthening the Office of Internal Oversight Services*

15. **The Chairman**, speaking on behalf of **Mr. Van den Bossche** (Belgium), coordinator of the draft resolution, said that the draft resolution, which marked another step forward in the reform process, would contribute to improving governance and oversight within the Organization. The final text was the outcome of lengthy negotiations, in which all Member States had participated constructively. The draft resolution would be adopted by consensus on the understanding that, first, and given the unique nature of the Independent Audit Advisory Committee (IAAC), each regional group would be entitled to one seat. Secondly, and in accordance with the rules of procedure of the General Assembly, the members of IAAC would be elected by a simple majority of the Member States present and voting. Thirdly, a new sub-item on the appointment of members of IAAC would be included under the agenda item entitled "appointments to fill vacancies in subsidiary organs and other appointments". Lastly, the regional groups were each encouraged to submit at least two candidates for election to IAAC.

16. *Draft resolution A/C.5/61/L.70 was adopted.*

**Agenda item 132: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations** (*continued*) (A/C.5/61/L.49, L.55*, L.56 and L.71)

*Draft resolution A/C.5/61/L.49: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations: cross-cutting issues*

17. **Mr. Sach** (Controller), referring to section XVII of draft resolution A/C.5/61/L.49, said it was his understanding that the provisions of paragraph 6 would be implemented in all peacekeeping missions, in accordance with mission-specific and other relevant resolutions.

18. *Draft resolution A/C.5/61/L.49 was adopted.*

19. **Mr. Quezada** (Chile) said that he had joined the consensus on draft resolution A/C.5/61/L.49 on the understanding that paragraph 7 of section VII did not mean that language skills would become a mandatory element of selection and training processes for peacekeeping staff. He also reaffirmed that issues relating to peacekeeping operations should be addressed by the appropriate body, namely, the Special Committee on Peacekeeping Operations.

*Draft resolution A/C.5/61/L.55*: Financing of the United Nations Logistics Base at Brindisi, Italy*

20. *Draft resolution A/C.5/61/L.55* was adopted.*

*Draft resolution A/C.5/61/L.56: Consolidation of peacekeeping accounts*

21. *Draft resolution A/C.5/61/L.56 was adopted.*

*Oral draft decision: Closed peacekeeping missions*

22. **The Chairman** drew attention to the following oral draft decision entitled "Closed peacekeeping missions":

> "*The General Assembly*,
>
> "*Having considered* the report of the Secretary-General on the updated financial position of closed peacekeeping missions as at 30 June 2006, and the related report of the Advisory Committee on Administrative and Budgetary Questions,
>
> "(a) *Decides* to return two thirds of the credits available in the account of the United Nations Iraq-Kuwait Observation Mission to the Government of Kuwait in the amount of 3,701,300 dollars;
>
> "(b) *Decides also* to consider the updated financial position of closed peacekeeping missions at the main part of its sixty-second session."

23. **Mr. Abelian** (Secretary of the Committee), referring to paragraph (b) of the oral draft decision, said that the words "at the main part of" should be replaced by the word "during".

24. *The oral draft decision, as orally revised, was adopted.*

25. **Ms. Schwamberger** (Germany), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Montenegro and Serbia; and, in addition, Armenia, Iceland, Liechtenstein, Moldova and Ukraine, expressed regret that a decision on the funds associated with closed peacekeeping missions had once again been deferred, particularly since a compromise had seemed within reach. The Fifth Committee's inability to address that issue in a substantive manner undermined the Organization's Financial Regulations and Rules, which stipulated that the funds in question should be returned to Member States.

26. The continued retention of funds in closed peacekeeping missions on account of the consistent failure of certain Member States to pay their assessed contributions on time was unacceptable. Outstanding liabilities should also be settled. To rectify that situation, the European Union once again urged all Member States to pay their assessed contributions in full, on time and without conditions. It stood ready to discuss the issue of closed peacekeeping missions at the sixty-second session of the General Assembly with a view to reaching a substantive outcome.

27. **The Chairman** said that the oral draft decision would be included in the Committee's report to the General Assembly.

*Draft resolution A/C.5/61/L.71: Strengthening the capacity of the United Nations to manage and sustain peacekeeping operations*

28. **Mr. Sach** (Controller) said it was his understanding that, if adopted, paragraph 6 of draft resolution A/C.5/61/L.71 would allow the current arrangements, whereby resources for Headquarters backstopping and support for peacekeeping operations and special political missions were provided from the support account, as approved by the General Assembly, to be continued. It was also his understanding that, pursuant to paragraph 58 of the draft resolution, the Secretary-General was authorized to appoint an Under-Secretary-General for Field Support for a two-year term. That post could be discontinued only by decision of the General Assembly. Organization charts for the Department of Peacekeeping Operations and the new Department of Field Support reflecting the decisions of the Fifth Committee were available. The new organizational arrangements, which would take effect on 1 July 2007, would be subject to review by the new Under-Secretary-General for Field Support and, in due course, by the General Assembly in the context of its consideration of the budget estimates for the support account for the period from 1 July 2008 to 30 June 2009.

29. **Mr. Abelian** (Secretary of the Committee), referring to the fourth line of paragraph 58 of the draft resolution, said that the words "the reviews" should be inserted between the words "that" and "will".

30. *Draft resolution A/C.5/61/L.71, as orally revised, was adopted.*

31. **Mr. Rashkow** (United States of America) expressed his appreciation to the coordinator of the draft resolution, who had accomplished a very difficult task in a very short time, and to the members of the Fifth Committee for the respectful manner in which they had participated in the negotiations. He also welcomed the comments of the Controller on various aspects of the text.

32. By adopting the draft resolution, the Fifth Committee had fulfilled its responsibility to ensure the effective management and administration of the United Nations. While it had not agreed to every detail of the many proposals, the Committee had, broadly speaking, endorsed the Secretary-General's vision for future peacekeeping activities and provided him with the resources necessary to realize that vision.

33. **Mr. Hill** (Australia), speaking also on behalf of Canada and New Zealand, commended the Secretary-General for prioritizing the urgent need to strengthen the Secretariat's capacity to manage the growing number of peacekeeping operations and for recognizing the importance of providing appropriate Headquarters support for such operations. Draft resolution A/C.5/61/L.71 provided for the strengthening of the Department of Peacekeeping Operations and the establishment of a new Department of Field Support. He welcomed the clarification provided by the Controller and urged the Secretary-General to implement the draft resolution as a matter of priority and to make the necessary appointments in a timely fashion.

34. While the Fifth Committee had taken some significant decisions on the restructuring of the Department of Peacekeeping Operations, more

remained to be done. He hoped that key decisions on a number of important issues, including the status of and resources for procurement, the standing police capacity, integrated operational teams, legal affairs, information and communication technology and regular funding for temporary posts in the Office of Internal Oversight Services, would be taken expeditiously.

35. **Ms. Kaji** (Japan) welcomed the adoption of the draft resolution. Her delegation would closely monitor its implementation, as well as that of other relevant resolutions, to ensure that its provisions enhanced both the efficiency of peacekeeping operations and the accountability of the Secretariat as whole.

36. **Mr. Woeste** (Germany), speaking on behalf of the European Union, expressed his appreciation to the coordinator of the draft resolution and commended all those who had taken part in the negotiations for their commitment and dedication.

*Note by the Secretary-General on financing of the support account for peacekeeping operations and financing of the United Nations Logistics Base at Brindisi, Italy (A/C.5/61/23 )*

37. **The Chairman** drew the Committee's attention to the note by the Secretary-General contained in document A/C.5/61/23, which, in accordance with the prorating procedures approved by the General Assembly in its resolution 50/221 B, indicated the amounts to be apportioned for each peacekeeping mission, including the prorated share for the support account and for the United Nations Logistics Base at Brindisi.

38. **Mr. Sach** (Controller) said that the note by the Secretary-General, which had been reissued to correct inaccuracies in the current version, indicated how resources would be apportioned among the budgets of individual peacekeeping operations. The prorated shares for each mission would be included in the final reports of the Committee.

39. **The Chairman** said he took it that the Committee wished to take note of the information contained in the note by the Secretary-General.

40. *It was so decided.*

**Agenda item 133: Financing of the United Nations Operation in Burundi** (*continued*) (A/C.5/61/L.57)

*Draft resolution A/C.5/61/L.57: Financing of the United Nations Operation in Burundi*

41. *Draft resolution A/C.5/61/L.57 was adopted.*

**Agenda item 134: Financing of the United Nations Operation in Côte d'Ivoire** (*continued*) (A/C.5/61/L.52)

*Draft resolution A/C.5/61/L.52: Financing of the United Nations Operation in Côte d'Ivoire*

42. **Mr. Abelian** (Secretary of the Committee) said that, in paragraph 15 of the draft resolution, the amount allocated for the maintenance of the Operation for the period from 1 July 2007 to 30 June 2008 should be corrected to read "470,856,100 dollars" instead of "472,692,200 dollars".

43. *Draft resolution A/C.5/61/L.52, as orally corrected, was adopted.*

**Agenda item 135: Financing of the United Nations Peacekeeping Force in Cyprus** (*continued*) (A/C.5/61/L.58)

*Draft resolution A/C.5/61/L.58: Financing of the United Nations Operation in Burundi*

44. *Draft resolution A/C.5/61/L.58 was adopted.*

**Agenda item 136: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo** (*continued*) (A/C.5/61/L.51)

*Draft resolution A/C.5/61/L.51: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo*

45. *Draft resolution A/C.5/61/L.51 was adopted.*

**Agenda item 138: Financing of the United Nations Mission of Support in East Timor** (*continued*) (A/C.5/61/L.59)

*Draft resolution A/C.5/61/L.59: Financing of the United Nations Mission of Support in East Timor*

46. *Draft resolution A/C.5/61/L.59 was adopted.*

**Agenda item 139: Financing of the United Nations Mission in Ethiopia and Eritrea** (*continued*) (A/C.5/61/L.60)

*Draft resolution A/C.5/61/L.60: Financing of the United Nations Mission in Ethiopia and Eritrea*

47. *Draft resolution A/C.5/61/L.60 was adopted.*

**Agenda item 140: Financing of the United Nations Observer Mission in Georgia** (*continued*) (A/C.5/61/L.61)

*Draft resolution A/C.5/61/L.61: Financing of the United Nations Observer Mission in Georgia*

48. *Draft resolution A/C.5/61/L.61 was adopted.*

**Agenda item 141: Financing of the United Nations Stabilization Mission in Haiti** (*continued*) (A/C.5/61/L.62)

*Draft resolution A/C.5/61/L.62: Financing of the United Nations Stabilization Mission in Haiti*

49. *Draft resolution A/C.5/61/L.62 was adopted.*

**Agenda item 142: Financing of the United Nations Interim Administration Mission in Kosovo** (*continued*) (A/C.5/61/L.63)

*Draft resolution A/C.5/61/L.63: Financing of the United Nations Interim Administration Mission in Kosovo*

50. **Mr. Sach** (Controller) said that the Secretariat understood paragraph 10 of the draft resolution to mean that the Secretary-General would continue, in the exercise of his authorities under Article 97 of the Charter of the United Nations, to take all measures provided for in the existing Staff Rules and Staff Regulations, and, within the United Nations common system of salaries and conditions of service, would continue to encourage the retention of staff until the mandate of the Mission was completed and it was liquidated.

51. As the financial implications of the measures concerned would have been accommodated under the headings for salaries, common staff costs, mission subsistence allowance and travel, such financial implications would normally be reported in the context of the budget performance report. Prospective retention measures above and beyond those provided for in the existing Staff Regulations and Staff Rules and the United Nations common system of salaries and conditions of service must be presented to the General Assembly for approval.

52. *Draft resolution A/C.5/61/L.63 was adopted.*

**Agenda item 143: Financing of the United Nations Mission in Liberia** (*continued*) (A/C.5/61/L.64)

*Draft resolution A/C.5/61/L.64: Financing of the United Nations Mission in Liberia*

53. *Draft resolution A/C.5/61/L.64 was adopted.*

**Agenda item 145: Financing of the United Nations Mission in Sierra Leone** (*continued*) (A/C.5/61/L.66)

*Draft resolution A/C.5/61/L.66: Financing of the United Nations Mission in Sierra Leone*

54. *Draft resolution A/C.5/61/L.66 was adopted.*

**Agenda item 146: Financing of the United Nations Mission in the Sudan** (*continued*) (A/C.5/61/L.67)

*Draft resolution A/C.5/61/L.67: Financing of the United Nations Mission in the Sudan*

55. *Draft resolution A/C.5/61/L.67 was adopted.*

**Agenda item 147: Financing of the United Nations Mission for the Referendum in Western Sahara** (*continued*) (A/C.5/61/L.68)

*Draft resolution A/C.5/61/L.68: Financing of the United Nations Mission for the Referendum in Western Sahara*

56. *Draft resolution A/C.5/61/L.68 was adopted.*

**Agenda item 151: Financing of the United Nations Integrated Mission in Timor-Leste** (*continued*) (A/C.5/61/L.69)

*Draft resolution A/C.5/61/L.69: Financing of the United Nations Integrated Mission in Timor-Leste*

57. *Draft resolution A/C.5/61/L.69 was adopted.*

**Agenda item 144: Financing of the United Nations peacekeeping forces in the Middle East** (*continued*)

**(a) United Nations Disengagement Observer Force** (*continued*) (A/C.5/60/L.65)

*Draft resolution A/C.5/60/L.65: Financing of the United Nations Disengagement Observer Force*

58. *Draft resolution A/C.5/61/L.65 was adopted.*

**(b) United Nations Interim Force in Lebanon** (*continued*) (A/C.5/60/L.53)

*Draft resolution A/C.5/60/L.53: Financing of the United Nations Interim Force in Lebanon*

59. **The Chairman** drew the Committee's attention to draft resolution A/C.5/60/L.53, which had been introduced by the representative of Pakistan on behalf of the Group of 77 and China at the Committee's 57th meeting. A single recorded vote on the fourth preambular paragraph and paragraphs 4, 5 and 20 of the draft resolution had been requested.

60. **Mr. Rashkow** (United States of America), speaking in explanation of vote before the voting, reiterated his delegation's support for the important mandate of the United Nations Interim Force in Lebanon (UNIFIL) and its view that it was procedurally incorrect to use a General Assembly resolution on funding to pursue claims against a Member State .

61. *A single recorded vote was taken on the fourth preambular paragraph and paragraphs 4, 5 and 20 of the draft resolution.*

*In favour*:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Belarus, Belize, Benin, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Gambia, Guatemala, Guyana, Haiti, India, Indonesia, Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

*Against*:

Australia, Canada, Israel, Palau, United States of America.

*Abstaining*:

Albania, Andorra, Austria, Belgium, Bulgaria, Cameroon, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

62. *The fourth preambular paragraph and paragraphs 4, 5 and 20 of draft resolution A/C.5/60/L.42 were retained by 84 votes to 5, with 47 abstentions.*

63. *A recorded vote was taken on the draft resolution as a whole.*

*In favour*:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mexico, Moldova, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab

Republic, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Australia.

64. *Draft resolution A/C.5/60/L.53 as a whole was adopted by 136 votes to 2, with 1 abstention.*

65. **Mr. Woeste** (Germany), speaking on behalf of the European Union, paid tribute to the six members of the Spanish UNIFIL contingent who had lost their lives in the service of the Mission as a result of hostile and craven action and expressed sincere condolences to the friends and families of the dead and injured, and to the peoples of Colombia and Spain.

66. The States members of the European Union had abstained in the vote on the fourth preambular paragraph and paragraphs 4, 5 and 20 of draft resolution A/C.5/61/L.53 because the text contained therein was inappropriate in the context of a resolution on the financing of UNIFIL. The broader political aspects of the event, including the incident at Qana, had been debated by the General Assembly in April 1996, resulting in resolution 50/22 C of 25 April 1996. The European Union had stated its position on those political aspects at the meeting at which the Assembly had adopted that resolution. The European Union wished to underline, once again, that the Committee's consultations should have been confined to budgetary issues.

67. **Mr. Rashkow** (United States of America) said that his delegation also wished to express its condolences and deepest sympathy to the families and friends of the Colombian and Spanish members of the Mission killed or injured in the recent incident.

68. His delegation strongly supported UNIFIL, which was fulfilling an important mandate. However, it was procedurally incorrect to use a General Assembly resolution on funding to pursue claims against a Member State. The United States opposed the current and previous resolutions, which had not been adopted by consensus and required Israel to meet costs stemming from the 1996 Qana incident. Since shortly after the Organization's inception, the practice had been for the Secretary-General to present and pursue its claims against a State or States. Use of a funding resolution to legislate a settlement was inappropriate, politicized the work of the Fifth Committee and must be avoided in the current and future cases.

69. **Mr. Fluss** (Israel) said that his delegation wished to express its heartfelt condolences to the families and friends of the Colombian and Spanish soldiers who had lost their lives in the recent terrorist attack on UNIFIL in southern Lebanon, and to wish the injured a speedy and full recovery.

70. The new and robust UNIFIL played an essential role in implementing Security Council resolution 1701 (2006) and bringing security and stability to the region. However, because the draft resolution singled out one Member State, his delegation had been forced to break from consensus and call for a vote. UNIFIL must not be subject to political machinations. There was no precedent whatsoever for one Member State to bear sole financial responsibility for damage sustained by United Nations peacekeeping forces. In every other situation, Member States acted in accordance with the principle of collective responsibility set out in Article 17 of the Charter, absorbing such costs within the general peacekeeping budget; UNIFIL should not be an exception. That principle had in fact been reaffirmed in paragraph 8 of the draft resolution. Yet each year, the Committee was forced to consider a text reflecting the transparent political motives of certain Member States that assigned both blame and financial responsibility for the unfortunate Qana incident to Israel. Meanwhile, the Hizbullah terrorists and the dangerous circumstances that had led to the incident in the first place continued to threaten regional peace and security and were virtually ignored.

71. It was with a feeling of déjà vu that his delegation recalled the Katyusha rocket attack on Kiryat Shmona in northern Israel carried out a few days previously by terrorist factions operating in southern Lebanon, reflecting the terrorists' disregard for civilians and a State's failure to clamp down on their existence. Miraculously, nobody had been harmed or killed in that incident, which Israel regarded as an outrage and an absolute breach of resolution 1701 (2006). Hizbullah's strategy of hiding behind and within United Nations and civilian infrastructure, as it had in Qana, was a

growing phenomenon which seriously threatened the future of peacekeeping missions.

72. At the second part of its resumed sixty-first session, the Committee had been forced to engage in lengthy negotiations on the politicized language introduced through the calculated and underhanded tactics of some Member States. The reference to Israel as "the enemy" was unprecedented in the Committee, ran counter to its working methods, and was entirely inappropriate in the peacekeeping context: no discussion of that subject could refer to one State as an enemy. Some Member States had sought to introduce in the Committee language which undermined and prevented the implementation of resolution 1701 (2006), placing the region in great danger and distorting the mandate of UNIFIL to the detriment of Lebanon and the entire membership of the Organization. That approach was disruptive and uncooperative.

73. Israel supported the objectives of peacekeeping, both financially and morally. As the number of peacekeeping operations increased, the role of peacekeeping and peacekeepers attained greater significance. For the sake of peacekeeping, Israel considered that Member States should have voted with their conscience and, at least in the future, should prevent politicized language from cheapening the resolution.

74. **Mr. Poulin** (Canada) said that his delegation wished to convey its condolences to the friends and family of the six peacekeepers who had recently lost their lives in southern Lebanon.

75. Canada continued to regret the inclusion in the resolution on the financing of UNIFIL of inappropriate paragraphs on which a separate vote had been requested. The paragraphs in question prevented consensus by undermining a long-held understanding that political considerations had no place in resolutions of a technical nature, including those on the financing of peacekeeping operations, which must be neutral and procedural texts. Moreover, bearing in mind the report of the Secretary-General on the implementation of Security Council resolution 1701 (2006), it was inappropriate to target one party for criticism and non-compliance with United Nations resolutions. His delegation hoped that the proponents of the language in the resolution would re-evaluate their actions and withdraw the paragraphs in question in the future. That said, Canada strongly supported the mandate of UNIFIL and the full implementation of Security Council resolution 1701 (2006).

76. **Mr. Ramadan** (Lebanon) said that Lebanon observed the principle that the financing of United Nations peacekeeping operations was the collective responsibility of all Member States, as reaffirmed in General Assembly resolution 55/235. However, the principle of collective responsibility did not contradict the general principle under international law of State responsibility for internationally wrongful acts, including compensation for material damage resulting from such acts. That principle was enshrined in the Charter and was implied in paragraph 1 (e) of General Assembly resolution 55/235, which stated that, where circumstances warranted, the Assembly should give special consideration to the situation of any Member States which were victims of, and those which were otherwise involved in, the events or actions leading to a peacekeeping operation. It was on that basis that fourteen previous General Assembly resolutions had requested the payment of compensation to the United Nations for the damage incurred as a result of the attack on the peacekeeping post at Qana. That request was reiterated in the fourth preambular paragraph and in paragraphs 4, 5 and 20 of draft resolution A/C.5/60/L.53.

77. In the aftermath of the terrorist attack on a Spanish UNIFIL battalion patrol on 24 June 2007, which had left six dead and a further two injured, Lebanon needed the continued support of UNIFIL more than ever. The Government of Lebanon, expressing its solidarity with UNIFIL, denounced the attack and committed itself to bringing the perpetrators to justice. It extended its sincere condolences to the families of the victims and to the peoples of Colombia and Spain.

78. The attack underscored the importance of maintaining a stable and secure environment in southern Lebanon, an expected accomplishment reaffirmed in the report of the Secretary-General on the budget for UNIFIL for the period from 1 July 2007 to 30 June 2008 (A/61/870). In that connection, his delegation reiterated its own and the Committee's shared understanding that that expected accomplishment, 1.1, was fully in line with the mandate of UNIFIL pursuant to Security Council resolution 1701 (2006). Recalling that the General Assembly, to accommodate the concerns of one

delegation, had requested the Secretary-General, in paragraph 12 of its resolution 61/250 B, to continue to measure the accomplishments of the Force, including expected accomplishment 1.1, fully in accordance with the Security Council mandate, his delegation emphasized that paragraph 12 of draft resolution A/C.5/61/L.53, which had been added to the text to accommodate the concerns of the same single delegation, also reaffirmed that expected accomplishment 1.1 was fully in line with the UNIFIL mandate. Having expressed serious reservations on the Secretariat's handling of the report of the Secretary-General on the review of logical frameworks for special political missions for the period from 1 January to 31 December 2007 (A/61/890), his delegation hoped that, as it was the delegation most directly concerned, its views would continue to be taken into account in future reports on the financing of UNIFIL.

79. Lebanon appreciated the important role played by UNIFIL in southern Lebanon, and invited Israel to match its words with action by cooperating with the Mission. There had been clear reports not just of lack of cooperation, but of intimidation, including Israeli warplanes flying at low altitude over ships of the maritime component of UNIFIL, risking retaliation by the German and French contingents of that component. Furthermore, reports attributed to the German command of the maritime component indicated three new incidents in April and May 2007 between the Israeli army and German ships, and another incident involving a Swedish ship.

80. **Ms. Stevens** (Australia) said that her delegation wished to pay tribute to the Colombian and Spanish UNIFIL personnel killed or injured in the recent attack in southern Lebanon and to express its condolences to the friends and families of the victims. Australia had long been a firm supporter of UNIFIL, which, in expanded form, played an important role in helping the Lebanese armed forces to enforce Security Council resolution 1701 (2006). As in previous years, her delegation had abstained in the vote on the draft resolution, which should focus on budgetary issues. Politicizing the draft resolution and singling Israel out was unhelpful and made no contribution to the work of UNIFIL or to the cause of peace in the Middle East.

81. **Mr. Diab** (Syrian Arab Republic), speaking in exercise of the right of reply, said that Security Council resolution 1559 (2004) made no reference whatsoever to the establishment of diplomatic relations between Lebanon and the Syrian Arab Republic; the relevant resolution was, in fact, Security Council resolution 1680 (2006).

82. Regarding Israel's claim that the 2006 Israel-Lebanon war had been started by Hizbullah, he noted that, in a statement before the Israeli government-appointed commission of inquiry, Prime Minister Olmert had confirmed that the Israeli Government had taken a decision to launch the war three months prior to the start of the conflict. Hizbullah, therefore, was not responsible.

83. With respect to the Israeli representative's assertion that the Lebanese Army had provided the Secretary-General's Special Envoy, Mr. Roed-Larsen, with information confirming that Syria was smuggling arms across the Lebanese-Syrian border, he pointed out that Lebanon's Minister of Defence, Mr. Elias Murr, had denied the allegation.

84. The Syrian Government had implemented all the provisions of resolution 1559 (2004) pertaining to it by withdrawing its military and intelligence units from Lebanon in 2005. Israel, on the other hand, had not implemented any of the relevant resolutions of international legitimacy, including Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Had Israel done so, there would have been no need for Security Council resolution 1559 (2004).

85. It was difficult to comprehend why the Israeli representative had made reference to expected accomplishment 1.1 of the budget for UNIFIL, namely the achievement of a stable and secure environment in southern Lebanon, when the topic at hand was the programme budget for the biennium 2006-2007. It was also difficult to comprehend why he should claim that the accomplishment pertained to Syria and Lebanon, but not to Israel.

86. Finally, he reiterated that the Syrian Arab Republic was in no way attempting to politicize the work of the Fifth Committee but was simply clarifying that Israel continued to commit terrorist acts against the Arab peoples.

87. **Mr. Ramadan** (Lebanon), speaking in exercise of the right of reply, said that his delegation had intended to focus on the financial and budgetary aspect of the resolution, but the Israeli delegation had raised allegations concerning Hizbullah. He recalled that Hizbullah had existed neither in 1978, when Israel had

first invaded Lebanon, nor in 1982, when it had invaded for the second time. Hizbullah was a popular response to Israel's occupation of Lebanon. He further recalled that the Government of Lebanon strongly condemned all forms of terrorism, including State terrorism, and that the root cause of the Middle East crisis was the occupation of Palestinian territories by Israel.

88. The Israeli representative was well aware that Lebanon had implemented more than 70 per cent of Security Council resolution 1559 (2004) in less than two years and that efforts had been made to achieve further progress through the Lebanese national dialogue. He noted that Israel had implemented only part of Security Council resolution 425 (1978), having been forced to do so by the Lebanese resistance.

89. He reiterated that Lebanon was eager to establish embassy-level diplomatic relations with its brother country, Syria, and strongly advised the Israeli representative not to interfere in issues that concerned the two countries.

**Status of the capital master plan**

90. **Mr. Sach** (Controller), updating the Committee on the implementation of General Assembly resolution 61/251, recalled that the General Assembly had approved a separate working capital reserve for the capital master plan as well as a specific assessment for 2008 capital master plan activities. The working capital reserve had been approved at the level of $45 million; thus far, $32.6 million had been contributed, with $12.4 million outstanding. With respect to the assessments for 2008, $217.2 million had been received to date, with $157.5 million outstanding. Eleven Member States had selected the option of a one-time payment rather than equal multi-year payments over five years. Four Member States had paid in full their assessed contributions to the capital master plan, including the working capital reserve, while 20 Member States had not paid any portion of their 2007 assessed contribution. There were no cash flow problems at the present time.

91. Regarding the contract with the construction manager, the contract for Part A pre-construction services was in the final stages of negotiation and the form of contract for any future Part B construction services was currently being resolved. It was anticipated that the contract would be signed during the month of July. Due diligence measures conducted during the negotiations included an integrity review of the process by KPMG, an analysis of the chosen firm's past litigation issues and a review of other matters by the Ethics Office.

92. Concerning swing space, negotiations for the leasing of the Albano Building at 305 East 46th Street had been completed and the lease would be signed by the end of the week. Some 70 per cent of the swing-space requirements had therefore been met. Negotiations for the leasing of two floors of a new office building in Long Island City were under way; however, it was not known when the lease would be signed. Space had also been identified in Long Island City for the library collection and staff, but it might not be available. One more small site was required to meet the full swing-space requirements.

93. The schematic design for the temporary conference building on the North Lawn had been completed. Survey contract issues were currently being resolved, and it was expected that construction would begin in 2008.

94. The new Executive Director of the Capital Master Plan Project had been selected and was expected to take up his duties at the end of July 2007. Sixty per cent of the design work for the capital master plan had been completed. Construction documents for the infrastructure, basements, General Assembly, Conference, Secretariat and South Annex buildings had been submitted in March 2007 and the final submissions for review were due between August and November 2007. Design work related to security, the Dag Hammarskjöld Library and the exterior envelope were on a slightly later schedule. The approved options for additional blast resistance had required contractual adjustments; those adjustments had been completed and design work on the blast resistance had been initiated. Finally, the approved options for redundancy and sustainability were being incorporated into the base design work.

95. Integrating the security options into the main renovation design schedule would be a challenge. Issues such as identifying departments to occupy the swing space, locating lease sites in a tightened market and awarding the construction management contract had delayed the start of swing-space construction, which in turn was likely to delay the start of renovation.

96. Given that the project had been under way a mere six months, it would be premature to revise the schedule at the present time. Once the construction manager was in place, the main priority would be to bring the project back on schedule and within budget. It was anticipated that the construction manager would be able to provide a general schedule roughly one month after the contract was signed and a more detailed schedule two months later. Details of the latter would be included in the Secretary-General's annual progress report on the implementation of the capital master plan.

97. **Mr. Afifi** (Egypt) pointed out that, because special arrangements had been made to finance the capital master plan, the status of payments did not affect its implementation. He noted that it had taken a full six months to sign a contract with a construction management firm and would appreciate knowing the reason for the delay; he would also like to know which firm had won the contract. He further noted that, according to the schedule on the capital master plan website, contracts for all the office, library and conference swing space were to have been signed by mid-2007; he was therefore disappointed to learn that only 70 per cent of the required swing space had been secured. With respect to the appointment of the Assistant Secretary-General, Executive Director for the Capital Master Plan, he wished to know why it had taken so long to fill the post.

98. He recalled that, in its resolution 61/251, the General Assembly had requested the Secretary-General to make every effort to avoid budget increases through sound project management practices and to ensure that the capital master plan was completed within the approved budget and the envisaged time schedule. He would be interested to know how the updated information provided by the Controller would affect the fulfilment of that request.

99. **Mr. Berti Oliva** (Cuba) noted that the capital master plan homepage contained an update by the United States General Accounting Office and wished to know whether the Secretariat had participated in the elaboration of that report.

100. **Ms. Taylor Roberts** (Jamaica) wondered whether consultations had been held with the host country Government regarding the facilitation of the letter of credit, as requested by the General Assembly in paragraph 27 of its resolution 61/251.

101. **Mr. Sach** (Controller) said, in response to the questions regarding the delayed signing of the construction management contract, that due diligence had required a careful technical evaluation of the various bids. The construction management contract was extremely complicated and it was essential that the best interests of the Organization should be safeguarded. Although it had taken some time to appoint a new Executive Director — partly owing to the fact that many senior level posts had had to be filled during the same period — the Secretary-General was confident that the new appointee was able to meet the challenges of managing the project.

102. With respect to the swing space, the capital master plan website would be revised to reflect that 70 per cent of the requirements had been met. The Organization had, in fact, made a bid on a second building in Manhattan; however, the office market was highly competitive and the bid had been lost to a competitor.

103. Concerning the issue of cost control, forward pricing escalation would protect the total cost of the project only if it was conducted on schedule. It was therefore essential that the incoming construction manager should find ways to keep the project on schedule and contain costs through the application of value engineering.

104. The Secretariat had not participated in the elaboration of the report by the United States General Accounting Office but had simply provided information in response to a number of questions. In that regard, he recalled that all Member States had the right to pose questions.

105. Finally, pursuant to paragraph 27 of General Assembly resolution 61/251, the Under-Secretary-General for Management had written a letter to the host country regarding arrangements for the letter of credit; however, since liquidity was not a problem at the present time, the question of credit was not urgent.

106. **Mr. Afifi** (Egypt) reiterated his delegation's position that there had been absolutely no progress since the adoption of resolution 61/251 six months earlier. He also expressed regret that the Controller had not updated the Committee on the establishment of the advisory board mentioned in paragraph 40 of the same resolution.

107. He had taken note that the construction management contract and the appointment of the new Executive Director had been delayed because the Secretariat wished to ensure that the candidates possessed the best possible qualifications; he would therefore like to clarify whether the Secretariat was satisfied that it had succeeded in doing so. He also wondered whether the Secretariat was satisfied with the swing-space arrangements. Finally, he would like to know whether the Secretariat was confident that the delays in the project schedule had not resulted in any cost escalation to date.

108. **Mr. Sach** (Controller) replied that, although there had been no "physical progress", the appointment of the Executive Director and the signing of the construction management contract and swing-space lease were a key part of the process. It was unfortunate that that particular phase had taken longer than expected, and it was obvious that the delays would eventually lead to an escalation in costs if the time could not be made up. However, it should be remembered that part of the construction manager's job was to ensure that the overall schedule was met.

109. The Secretariat had full confidence in the ability, technical capacity and reputation of the construction management firm with which it was negotiating and would announce the winner once the contract had been signed. It was also fully satisfied with the candidate who had been recommended to fill the post of Executive Director of the capital master plan. With regard to the swing space, it would have liked to have been able to lease 100 per cent of the required space within a few blocks of the Secretariat building, but was relatively satisfied that 70 per cent of the space had been negotiated.

110. The Secretariat would be in a better position to discuss the question of schedule, after the construction manager had taken up his duties. More comprehensive information on that topic would be included in the fifth annual progress report on the implementation of the capital master plan, which would be submitted to the General Assembly at its sixty-second session.

**Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations** (*continued*) (A/C.5/61/L.72)

*Draft decision A/C.5/61/L.72: Questions deferred for future consideration*

111. *Draft decision A/C.5/61/L.72 was adopted.*

**Completion of the work of the Fifth Committee at the second part of the resumed sixty-first session of the General Assembly**

112. **The Chairman** said that the Committee had taken decisions on many important matters during the second part of the resumed sixty-first session. Achievements included the final adoption of the capital master plan, the adoption of a new scale of assessments, a decision on the financing of after-service health insurance benefits, the adoption of terms of reference for the Independent Audit Advisory Committee and the reform of the Department of Peacekeeping Operations through the formal creation of the Department of Field Support and the establishment of the post of Under-Secretary-General for Field Support. The Committee had adopted one of the most important peacekeeping budgets ever and had finally succeeded in streamlining the cross-cutting issues relating to peacekeeping activities.

113. After the customary exchange of courtesies, in which **Mr. Hussain** (Pakistan), on behalf of the Group of 77 and China, **Mr. Woeste** (Germany), on behalf of the European Union, **Ms. Stevens** (Australia), on behalf of the CANZ group of countries (Australia, Canada and New Zealand), **Ms. Mesquita** (Portugal) and **Mr. Hamidon** (Malaysia) took part, **the Chairman** declared that the Fifth Committee had completed its work at the second part of the resumed sixty-first session of the General Assembly.

*The meeting rose at 6.15 p.m.*